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LETTER DATED 4 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Under the instruction of my Government, I have the honour to bring to your attention the following facts relating to the act of the Democratic People's Republic of Korea.

On 31 August 1998, at 1207 hours local time, a two-stage ballistic missile was launched from the Taepo-Dong area near the eastern coast of the Democratic People's Republic of Korea. It is highly probable that the first stage of this missile fell into the sea without reaching Japan, while the second stage flew over the territory of Japan and hit the sea in the Pacific Ocean off the coast of Sanriku in north-eastern Japan, with its warhead landing farther off the coast of Sanriku.

The Government of Japan considers that this act of the Democratic People's Republic of Korea directly affects the security of Japan and the peace and stability of the entire north-east Asian region. Furthermore, it raises a serious concern about the proliferation of weapons of mass destruction and their delivery systems.

It should also be pointed out that the Democratic People's Republic of Korea launched this missile without prior warning and that the missile landed in the vicinity of frequently used sea lanes. The Government of Japan considers that this action is in disregard of the norms of international law relating to the use of the high seas. Under existing rules of international law, the freedom of the high seas shall be exercised by all States with due regard for the interests of other States in their exercise of the freedom of the high seas. In addition, in launching the missile without prior warning in the vicinity of frequently used air space and sea lanes, the Democratic People's Republic of Korea ignored the fundamental principles of the Convention on International Civil Aviation and of the Convention on the International Maritime Organization to which it is a party.

The Government of Japan has lodged its strong protest with the Democratic People's Republic of Korea, but it has not as yet received any direct response from its authorities.

The Government of Japan wishes to place on record its view that maintenance of the international regime on the non-proliferation of weapons of mass destruction including their delivery systems is essential to the maintenance of international peace and security. In this context, the attention of the Security Council is invited to its presidential statement of 31 January 1992 (S/23500), on the responsibility of the Security Council in the maintenance of international peace and security. The statement declares that the proliferation of all weapons of mass destruction constitutes a threat to international peace and security.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hisashi OWADA
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the United Nations